IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

Crl.Rev.Pet.No. 3641 of 2007()

CRA.167/2004 of ADDL. SESSIONS (ADHOC) FAST TRACK COURT-I , PALAKKAD
CC.344/2002 of JUDL.MAGISTRATE OF FIRST CLASS COURT-III, PALAKKAD

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

CHACKO @ BABY, AGED 48 YEARS,
S/O. JOHN, KOCHUPURACKAL VEEDU,MARUTHILAVIL
ADIVARAM, KOZHIKODE DISTRICT.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS: RESPONDENT/COMPLAINANT:

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1. K.J. VARGHESE, AGED 78 YEARS,
S/O. AUSEPH, KULAKKATTU VAYALIL, EZHAKAD,PALAKKAD,
NOW RESIDING AT KULAKKATUVAYALIL, MANIMOOLI POST,
PALAD, NILAMBUR.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. K.S. SIVAKUMAR,PUBLIC PROSECUTOR
SRI.C.K.JAYAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 3641 of 2007

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Dated this the 9th day of October, 2007

ORDER

The accused in C.C.No. 344 of 2002 on the file of the Judicial First Class Magistrate-III, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 10671 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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